

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff(s),

CASE NUMBER: 07-20403
HONORABLE VICTORIA A. ROBERTS

v.

PAUL EMERSON, D.O.,
RICHARD TESTAI,

Defendant(s).

_____ /

ORDER ADOPTING REPORT AND RECOMMENDATION

On September 17, 2008, Magistrate Judge Virginia M. Morgan submitted a Report and Recommendation (Doc. #88) recommending that the Court DENY Defendants Paul Emerson, D.O. and Richard Testai's (collectively "Defendants") "Motion to Suppress Evidence." (Doc. #66). Because the Court has not received objections from either party within the time frame provided for in 28 U.S.C. §636(b)(1) and E.D. Mich. LR 72.1(d)(3), the Court adopts the Magistrate Judge's Report and Recommendation.

Defendants' motion is **DENIED**.

IT IS ORDERED.

S/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: October 7, 2008

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on October 7, 2008.

s/Carol A. Pinegar _____
Deputy Clerk